

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

IN RE NPS PHARMACEUTICALS, INC  
SECURITIES LITIGATION,

Case No. 2:06cv00570 DAK

This Document relates to: All Actions

## **ORDER CONCERNING DISTRIBUTION OF NET SETTLEMENT FUND TO AUTHORIZED CLAIMANTS AND RELATED MATTERS**

WHEREAS Lead Plaintiff, on behalf of the Settlement Class, has moved this Court, pursuant to Rule 23 of the Federal Rules of Civil Procedure, for an order: (1) authorizing distribution of the Net Settlement Fund to Authorized Claimants, including certain late Claimants; (2) authorizing the Garden City Group, Inc. (“GCG” or “Claims Administrator”), to deem timely 58 otherwise eligible claims that were submitted after the postmark deadline; (3) denying the requests of Claimant Nos. 953, 10009954, and 10048219, for Court review of their rejected claims; (4) permitting the destruction of proof of claim forms and related documents after a set period of time; and (5) authorizing the donation of any residual, unclaimed balance of the Net Settlement Fund to Salt Lake Valley Habitat for Humanity, a private, not-for-profit corporation with 501(c)(3) tax deductible status, and good cause appearing therefore, the Court hereby ORDERS as follows:

1. The Motion is granted in its entirety.

2. The Net Settlement Fund shall be distributed forthwith to Authorized Claimants, including certain late Claimants, consistent with the Plan of Allocation of the Net Settlement Fund.

3. The 58 otherwise eligible claims that were submitted after the June 25, 2009 postmark deadline are hereby deemed timely and shall be included in the Settlement.


4. The Court hereby denies the requests of Claimant Nos. 953, 10009954, and 10048219, for Court review of their rejected claims.

5. One year after distribution of the Net Settlement Fund, GCG may destroy any paper copies of the proof of claim forms and all related documentation, and three years after distribution of the settlement fund, GCG may destroy any electronic copies of the same.

6. Following the distribution of the Net Settlement Fund to Authorized Claimants (including late Claimants), any residual, unclaimed balance of the Net Settlement Fund shall be donated to Salt Lake Valley Habitat for Humanity, located at 716 East 4500 Street, Suite N260, Salt Lake City, Utah 84107.

IT IS SO ORDERED.

Dated: Salt Lake City, Utah, November 3, 2009.

  
THE HONORABLE DALE A. KIMBALL  
UNITED STATES DISTRICT JUDGE